

Message Text

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ACTION AID-59

INFO OCT-01 EA-06 ISO-00 IGA-01 EB-07 CIAE-00 INR-07

NSAE-00 L-03 COME-00 /084 W
----- 070587

P R 060515Z JUL 75

FM AMEMBASSY VIENTIANE

TO SECSTATE WASHDC PRIORITY 4690

INFO AMEMBASSY BANGKOK PRIORITY

AMCONSUL UDORN

LIMITED OFFICIAL USE VIENTIANE 4704

DEPT FOR HUNTINGTON, AID/EA/L

BANGKOK FOR BENNETT, USAID/LAOS CONTRACTING OFFICER

E.O. 11652: N/A

TAGS: EAID, LA, US

SUBJ: USAID/LAOS CONTRACTOR LEFT HOLDING BAGS

REF: USAID/LAOS CONTRACT AID-439-CS-012

1. CONTRACT UNER REFERENCE IN CLAUSE A OBLIGATED CONTRACTOR
--MANLEY ENTERPRISES INTERNATIONAL OF VIENTIANE -- TO PROVIDE
AND MAINTAIN RICE BAGS, TWINE, ETC., TO "MEET WIDELY VARYING
REBAGGING REQUIREMENTS" FOR REFUGEE RICE. IN CLAUSE E,
CONTRACT GUARANTEED USAID ASSISTANCE SO THAT MANLEY WOULD
OBTAIN PROMPT DUTY-FREE ENTRY OF BAGGING MATERIALS IN
ORDER TO CARRY OUT CONTRACT, AND CLAUSE F CONTAINED ESTIMATE
OF SCOPE OF WORK AS FOLLOWS: 800 TO 1,000 METRIC TONS
PER MONTH DURING PERIOD SEPT-NOV 1974 AND 400-500 MT PER
MONTH DURING PERIOD DEC 1974 TO AUG 1975.

2. IN PERFORMANCE OF CONTRACT MANLEY REGULARLY PURCHASED
BAGS IN SINGAPORE AND HAD THEM SHIPPED TO VIENTIANE. USAID/
LAOS CLEARED BAGS THROUGH CUSTOMS AT LAO BORDER ON DUTY-
FREE BASIS. ONE SHIPMENT OF BAGS WAS MADE IN
NOVEMBER 1974 AND TWO MORE IN JANUARY 1975.

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3. THUS MANLEY STILL HAS IN HIS STORAGE FACILITIES THREE SHIPMENTS OF JUTE BAGS (140,000 IN ALL) WITH TOTAL VALUE OF \$48,940 C.I.F. AT LAO BORDER. MANLEY HAS SHOWN US PHOTOCOPIES OF LAO GOVT IMPORT DOCUMENTS WHICH CLEARLY STATE THAT BAGS WERE IMPORTED BY USAID/LAOS FOR PROJECT USE IN CONNECTION WITH CONTRACT UNDER REFERENCE.

4. PROBLEM ARISES NOW SINCE ALL USAID ASSETS HAVE BEEN ABANDONED TO PGNU CONTROL -- INCLUDING PROGRAM ASSETS WHICH WE WERE DISPOSED TO TURN OVER ANYWAY IN ACCORDANCE WITH MAY 27, 1975 AGREEMENT. MANLEY HAS NOT BEEN ADVISED BY USAID WHAT DISPOSITION TO MAKE OF BAGS, NOR HAS HE BEEN PAID BY USAID FOR THE BAGS. MANLEY IS ONLY SIGNIFICANT AMERICAN BUSINESSMAN REMAINING IN VIENTIANE AND IS CONCERNED THAT BY HOLDING BAGS HE COULD JEOPARDIZE HIS ENTIRE OPERATION IN LAOS. WE AGREE AND BELIEVE THAT BEST COURSE IS EARLY AND VOLUNTARY ACTION ON OUR PART TO PRE-EMPT ANY ACTION THAT PGNU MIGHT TAKE AGAINST MANLEY. (WE ALSO BELIEVE THAT MANLEY SHOULD BE PAID PROMPTLY.)

5. COPIES OF MANLEY'S LETTER TO CHARGE OF JULY 3 AND OF RELEVANT IMPORT DOCUMENTS BEING POCHED AID/W FOR HUNTINGTON AND BANGKOK FOR BENNETT OF USAID/LAOS.

6. ACTION REQUESTED: (A) AUTHORITY FROM AID/W SOONEST TO ARRANGE TRANSFER OF JUTE BAGS IN QUESTION TO APPROPRIATE PGNU ENTITY, WHICH WILL PROBABLY TURN OUT TO BE SOCIAL WELFARE DIRECTORATE OF MINISTRY OF INTERIOR. (MECHANISM OF TRANSFER WILL HAVE TO BE WORKED OUT AND MAY INVOLVE FOREIGN MINISTRY SINCE KHAM SING SAYAKONE, CHAIRMAN OF PGNU COMMITTEE TO RECEIVE USAID/LAOS ASSETS, HAS TOLD CHARGE THAT HIS COMMITTEE NOW DISSOLVED. OTHER PGNU OFFICIALS HAVE TOLD US, HOWEVER, THAT ONLY "EXTERNAL" COMMITTEE HAS BEEN DISSOLVED AND THAT AN "INTERNAL" INTERMINISTERIAL COMMITTEE TO DEAL WITH SUBJECT STILL EXISTS.)

(B) PAYMENT TO MANLEY BY APPROPRIATE AID ENTITY, ALSO SOONEST.

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CHAPMAN

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Message Attributes

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Draft Date: 06 JUL 1975
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Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: izenbei0
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Errors: N/A
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Handling Restrictions: n/a
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Margaret P. Grafeld
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06 JUL 2006

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TAGS: EAID, LA, US, AID, PGNU
To: STATE
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